

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

RONALD DONALD BRUCE GENOVESE, B.G.  
CAPITAL GROUP, LTD., and ABRAHAM "AVI"  
MIRMAN

Defendant.

Case No. 17-CV-05821 (RJS)

**NOTICE OF MOTION TO DISMISS BY ABRAHAM "AVI" MIRMAN**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in support of this Motion to Dismiss, Defendant Abraham "Avi" Mirman will move this Court before the Honorable Richard J. Sullivan, at the United States Courthouse located at 500 Pearl Street, New York, New York, for an Order, pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure, dismissing Plaintiff's Complaint in its entirety for failure to state a claim upon which relief can be granted and such other and further relief as the Court deems just and proper.

Dated: New York, New York  
February 2, 2018

NORTON ROSE FULBRIGHT US LLP

By: /s/ William J. Leone  
William J. Leone  
NORTON ROSE FULBRIGHT US LLP  
1301 Avenue of the Americas  
New York, NY 10019-6022  
Tel.: 212-318-3000  
Fax: 212-318-3400  
william.leone@nortonrosefulbright.com

*Counsel for Defendant Abraham Mirman*